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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,133	10/23/2001	Anthony Holmes	9587.00	8039
26889	7590	11/17/2006	[REDACTED]	EXAMINER
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001				HAUPT, KRISTY A
			[REDACTED]	ART UNIT
				PAPER NUMBER
			2876	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/004,133	HOLMES ET AL.
	Examiner Kristy A. Haupt	Art Unit 2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 October 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10/23/01 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date <u>1/02 and 3/05</u> .	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

This office action is in response to Application 10/004,133 filed 23 October 2001. Claims 1-21 are pending.

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 7-19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by NTIS Tech Notes, vol. B, no. 6, 1 June 1986.

NTIS Tech Notes teaches:

With respect to claim 1, a self-service terminal comprising:

- A user interface including a plurality of user interface elements, at least one user interface element including means for detecting a user's hand in the vicinity of that element (Paragraph 0001)
- Means for informing the user about that element (Paragraph 0001)

With respect to claim 2 and incorporating all limitations of claim 1:

- Wherein the informing means includes means for referencing to a type of module to describe a user interface element (Paragraph 0003)

With respect to claim 3 and incorporating all limitations of claim 2:

- Wherein the detecting means comprises a proximity sensor (Paragraph 0003)

With respect to claim 4 and incorporating all limitations of claim 2:

- Wherein the detecting means includes means responsive to a user touching a user interface element (Paragraph 0001)

With respect to claim 5 and incorporating all limitations of claim 1:

- Wherein the informing means comprises a controller and a loudspeaker which is actuatable by the controller (Paragraph 0003 and Figure 1 teaches a capacitive relay connected to voice synthesizer)

With respect to claim 6 and incorporating all limitations of claim 5:

- Wherein the controller includes pre-recorded sound files that are playable through the loudspeaker (Paragraph 0001 teaches a voice

synthesizer that announces a key that has been selected, therefore there must be pre-recorded sound files to associate with the keys)

With respect to claim 17, a method of informing a user of a self-service terminal about a user interface element included in that terminal, the method comprising the steps of:

- Detecting a user's hand in the vicinity of a user interface element  
(Paragraph 0001)
- Informing the user about that user interface element (Paragraph 0001)

With respect to claim 18 and incorporating all limitations of claim 17:

- Detecting which user interface element the user's hand is in the vicinity of (Paragraph 0001)
- Selecting an audio file associated with that element (Paragraph 0001 teaches a voice synthesizer that announces a key that has been selected, therefore there must be pre-recorded sound files to associate with the keys)
- Playing the audio file (Paragraph 0001)

With respect to claim 19 and incorporating all limitations of claim 17:

- Referencing to a type of module to describe the user interface element (Paragraph 0003)

With respect to claim 21 and incorporating all limitations of claim 17:

- Wherein the detecting step includes the step detecting the user's hand touching the user interface element (Paragraph 0001)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over

NTIS Tech Notes, vol. B, no. 6, 1 June 1986 in view of Crandall US 5,616,901.

NTIS Tech Notes fails to teach:

With respect to claim 7:

- Wherein the controller includes a text to speech program and text files associated with the user interface elements

However, Crandall teaches:

With respect to claim 7 and incorporating all limitations of claim 5:

- Wherein the controller includes a text to speech program and text files associated with the user interface elements (Column 3, Lines 39-54 teach providing feedback to the customer after key presses (user interface elements) wherein the feedback uses a text-to-

speech converter (Figure 1, #20) and wherein the text files are programmed into the ATM (Column 6, Lines 8-15))

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of NTIS Tech Notes to include a text to speech program and text files to associate with the user interface elements, as taught by Crandall, to provide accessible, user-friendly electronic banking for use by sight-impaired persons (Column 2, Lines 1-5).

6. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over NTIS Tech Notes, vol. B, no. 6, 1 June 1986 in view of Do et al. US 6,061,666.

NTIS Tech Notes fails to teach:

With respect to claim 7:

- Wherein the controller includes a text to speech program and text files associated with the user interface elements

With respect to claim 8:

- Wherein the controller includes means for displaying large text on a display

With respect to claim 20:

- Wherein the informing step includes the step of displaying large text on a display

However, Do teaches:

With respect to claim 8 and incorporating all limitations of claim 5:

- Wherein the controller includes means for displaying large text on a display (Column 4, Lines 48-50)

With respect to claim 20 and incorporating all limitations of claim 17:

- Wherein the informing step includes the step of displaying large text on a display (Column 4, Lines 48-50)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of NTIS Tech Notes to display large text on a display, as taught by Do, as they are relatively easy to perceive and are well-suited for visually impaired persons (Column 2, Lines 2-4).

7. Claims 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over NTIS Tech Notes, vol. B, no. 6, 1 June 1986 in view of Hanna et al. US 6,761,308 B1.

NTIS Tech Notes teaches:

With respect to claim 9:

- A customer interface including a plurality of customer interface elements, at least one customer interface element including means for detecting a customer's hand in the vicinity of that element  
(Paragraph 0001)

- Means for informing the customer about that element (Paragraph 0001)

With respect to claim 10 and incorporating all limitations of claim 9:

- Wherein the informing means includes means for referencing to a type of module to describe a customer interface element (Paragraph 0003)

With respect to claim 11 and incorporating all limitations of claim 10:

- Wherein the detecting means comprises a proximity sensor (Paragraph 0003)

With respect to claim 12 and incorporating all limitations of claim 10:

- Wherein the detecting means includes means responsive to an customer touching a customer interface element (Paragraph 0001)

With respect to claim 13 and incorporating all limitations of claim 9:

- Wherein the informing means comprises a controller and a loudspeaker which is actuatable by the controller (Paragraph 0003 and Figure 1 teaches a capacitive relay connected to voice synthesizer)

With respect to claim 14 and incorporating all limitations of claim 13:

- Wherein the controller includes pre-recorded sound files that are playable through the loudspeaker (Paragraph 0001 teaches a voice synthesizer that announces a key that has been selected, therefore there must be pre-recorded sound files to associate with the keys)

NTIS Tech Notes fails to teach:

With respect to claims 9-14:

- Wherein the customer interface is in an ATM

However, Hanna et al. teaches:

With respect to claims 9-14:

- Wherein the customer interface is in an ATM (Column 3, Lines 12-28 teaches an ATM that includes a user interface wherein the user interface includes a keypad, function keys and audio speakers)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of NTIS Tech Notes to incorporate the user interface into an ATM as the keypad to allow verbal feedback for blind operators or where dim light prevents a sighted operator from seeing the keypad (Paragraph 0002).

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over NTIS Tech Notes, vol. B, no. 6, 1 June 1986 in view of Hanna et al. US 6,761,308 B1, as applied to claim 13 above, and further in view of Crandall US 5,616,901.

NTIS Tech Notes fails to teach:

With respect to claim 15:

- Wherein the controller includes a text to speech program and text files associated with the user interface elements

However, Crandall teaches:

With respect to claim 15 and incorporating all limitations of claim 13:

- Wherein the controller includes a text to speech program and text files associated with the user interface elements (Column 3, Lines 39-54 teach providing feedback to the customer after key presses (user interface elements) wherein the feedback uses a text-to-speech converter (Figure 1, #20) and wherein the text files are programmed into the ATM (Column 6, Lines 8-15))

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of NTIS Tech Notes to include a text to speech program and text files to associate with the user interface elements, as taught by Crandall, to provide accessible, user-friendly electronic banking for use by sight-impaired persons (Column 2, Lines 1-5).

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9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over NTIS Tech Notes, vol. B, no. 6, 1 June 1986 in view of Hanna et al. US 6,761,308 B1, as applied to claim 13 above, and further in view of Do et al. US 6,061,666.

NTIS Tech Notes as modified by Hanna fails to teach:

With respect to claim 16:

- Wherein the controller includes means for displaying large text on a display

However, Do teaches:

With respect to claim 16 and incorporating all limitations of claim 13:

- Wherein the controller includes means for displaying large text on a display (Column 4, Lines 48-50)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of NTIS Tech Notes as modified by Hanna to display large text on a display, as taught by Do, as they are relatively easy to perceive and are well-suited for visually impaired persons (Column 2, Lines 2-4).

***Examiner's Note***

Examiner has cited particular column and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the

specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the Prior Art or disclosed by the Examiner.

***Inventorship***

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristy A. Haupt whose telephone number is (571) 272-8545. The examiner can normally be reached on M-F 7:00-3:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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